



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

A.S.(MD)No.141 of 2014

WEB COPY

1.Mahalakshmi

2.Banumathi

... Appellants / Plaintiffs

-Vs-

1.Valambal

2.Jegadhambal @ Ambiha

3.Murugan @ Sankar

4.Pushpavalli (Died)

5.Gowri @ Amirtha Gowri

6.O.Suresh Soni

7.Natesan

... Respondents / Defendants

8.Sivasankar

9.Bharanitharan

(Respondents 8 & 9 are brought on record as Lrs of
the deceased fourth respondent vide order dated
13.08.2021 in C.M.P.(MD)No.6168 of 2021)

... Respondents

PRAYER: Appeal Suit filed under Section 96 of the Civil Procedure Code, against the judgment and decree passed in O.S.No.150 of 2010 on the file of the III Additional District Court, Trichy, dated 30.06.2014.

For Appellants : Mr.R.Chellamuthu

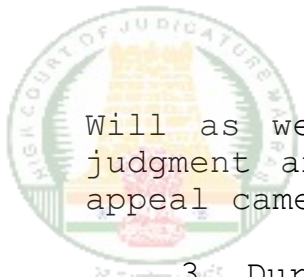
For R1 to R3 : Mr.P.Thiagarajan

For R5 : Mr.C.Sundaravadivel

JUDGMENT

This appeal arises out of a partition suit. The appellants herein filed O.S.No.150 of 2010 on the file of the third Additional District Judge, Tiruchirappalli seeking partition and separate possession of 2/7th share in the suit properties.

2. The first defendant Valambal set up a Will said to have been executed by Arunachalam Pillai. The execution of the Will was disputed by the plaintiffs. During the pendency of the suit, the first defendant Valambal executed the settlement deed in favour of the third defendant Murugan @ Sankar. The trial court sustained the



Will as well as the settlement deed and dismissed the suit vide judgment and decree dated 30.06.2014. Questioning the same, this appeal came to be filed.

3. During the pendency of the appeal, the parties have arrived at amicable understanding. The joint memo of compromise has also been executed. The respondents 6 and 7 are third parties to the family. Therefore, they have not been made parties to the joint memo of compromise. The appellants as well as the other respondents excepting R6 & R7 are present before me. All of them inform the Court that the matter has been amicably settled. I am satisfied that the issue has been amicably resolved. Therefore, this appeal suit is disposed of in terms of the joint memo of compromise dated 15.09.2021. The joint memo of compromise shall form part of the decree. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

The III Additional District Judge, Trichy.

Copy To

The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.K.S.KATHIRAVAN, Advocate (SR-29211[F] dated 15/09/2021)

+1 CC to M/s.P.THIYAGARAJAN, Advocate (SR-29298[F] dated 16/09/2021)

A.S.(MD)No.141 of 2014
15.09.2021

RD(10/11/2021) 2P 6C